

**OPTOMETRY EXAMINING BOARD MEETING
JULY 22, 2004
MINUTES**

MEMBERS PRESENT: Kerry L. Griebenow, OD; Leon D. Griffin, OD; Raymond W. Heiser; Chris Hubbell, OD; Lynne M. LeCount; Jeff M. Sarazen, OD

MEMBERS EXCUSED: Richard Wright, OD

STAFF PRESENT: Kim Nania, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; and Kevin Murphy, Bureau Assistant

GUESTS: Peter Theo, WOA and Jeremy Levin, Wisconsin Medical Society

NOTE: Nominated member Gregory Foster, OD attended the meeting but did not vote.

CALL TO ORDER

Chair Chris Hubbell, OD called the meeting to order at 10:15 a.m.

APPROVAL OF AGENDA

Additions/Amendments to Agenda:

Item H, TPA Requirement/Application Revision – Julie Reimann, was deleted
Gail Pizarro's appearance was moved up behind Item C, Review of Board Roster

MOTION: Mr. Heiser moved, seconded by Ms. LeCount, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES – JANUARY 29, 2004

MOTION: Mr. Heiser moved, seconded by Dr. Griebenow, to approve the minutes as drafted. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 26, 2004 TELECONFERENCE

MOTION: Dr. Griebenow moved, seconded by Dr. Sarazen, to approve the minutes as drafted. Motion carried unanimously.

ELECTION OF OFFICERS

The Board agreed to wait until January 1, 2005 to elect new officers. In the interim, Dr. Griffin, the Vice Chair, will assume the duties of Chair.

ADMINISTRATIVE REPORT

Dr. Nania outlined the many changes which have occurred since the last meeting, including the departure of Patty Hoeft, Board Services Division Administrator; the departure of Mary Schlaefer to DNR; Sandy Rowe's ascension to Deputy Secretary, and Eric Calisto's replacing of Rowe as division administrator in DOE. Dr. Nania then outlined changes in the legal counsel office, including Steve Gloe's promotion to head DRL legal counsel. Dr. Nania also updated the Board with respect to renovation plans for Department offices. Finally, the Bureau Director announced the New Board Member Workshop on August 17th.

REVIEW OF ROSTER

Dr. Griffin noted a change in his email address. His new email is ldocgriff@charter.net. The Bureau Director noted the change.

SCHEDULE DATE TO REVIEW THE JURISPRUDENCE EXAM – GAIL PIZARRO

Ms. Pizarro discussed the current jurisprudence exam, noting that it has been over six years since its last revision. Dr. Sarazen noted that the exam needed updating.

MOTION: Mr. Heiser moved, seconded by Dr. Sarazen, for Dr. Leon Griffin and Dr. Richard Wright to be appointed as liaisons to the jurisprudence exam. Dr. Foster was named as an alternate. Motion carried unanimously.

The report on pending court cases, disciplinary cases, and administrative rules reviewed the formulation of a scope statement relating to contact lens prescriptions; and the approval of draft rules pertaining to CE requirements and unprofessional conduct were all tabled for later discussion.

FYI: CREDENTIALING – CHANGE TO BLUE LICENSE

Chair Chris Hubbell outlined the change in format for renewal and temporary licenses.

DISCUSSION OF CE AUDITS – BARBARA SHOWERS/LYDIA BRIDGE

Ms. Bridge and Dr. Showers discussed the recent audit. Of 100 optometrists audited, only 37 are in complete compliance. An alarming 63 optometrists are not in compliance with CE requirements, primarily because they have attended courses which have not been approved by the Board.

MOTION: Dr. Griffin moved, seconded by Mr. Heiser, to appoint Dr. Griebenow as the liaison to work with Lydia Bridge to review the recent CE course audit, with Dr. Foster serving as the secondary liaison. Motion carried unanimously.

The Board then discussed prudent policy toward non-compliers.

MOTION: Dr. Griebenow moved, seconded by Ms. LeCount, that those persons within 6 hours of CE completion will be granted an October 1, 2004 extension to complete the requirements. Those with more than 6 hours to complete will have their cases referred to DOE for further action. Motion carried unanimously.

Ms. Jefferson-Moore then reminded the Board of its course approval dilemma. The Bureau Director agreed to put “Standards for CE Course Approval” on the next agenda. Next, the Board, Ms. Showers, and Ms. Bridges discussed the course approval process, including WOA, DRL, and Board roles. Course quality assurance was a concern, and alternative approaches to course approval were discussed. The Board and Bureau Director agreed to revisit course approval procedures at the next meeting.

REPORT OF STATUTES AND RULES COMMITTEE

The committee noted that an amended draft of the rules would be available at the next meeting, perhaps for Board review and approval. With respect to the contact lens scope statement, there was a discussion of the differences between federal and Wisconsin law with respect to the minimum and maximum length of prescriptions. The Board expressed its desire for the duration of prescriptions to be left to professional judgment. The Board agreed to review the need for a scope statement at the next meeting, under the agenda item title “New Federal Regulations Regarding Contact Lens Prescription.”

COMMITTEE APPOINTMENTS

Dr. Griebenow suggested organizing the roster for the screening committee and the statutes and rules committee, stressing that the former needs 2 professional members and 1 public member.

MOTION: Dr. Griffin moved, seconded by Ms. LeCount, to invite Dr. Richard Wright to join them on the screening committee. Dr. Wright will replace Dr. Sarazen. Motion carried unanimously.

MOTION: Dr. Sarazen moved, seconded by Ms. LeCount, to appoint Dr. Griebenow, Mr. Heiser, and Dr. Gregory Foster to the statutes and rules committee. Motion carried unanimously.

ANNUAL MEETING WITH ARBO

The Board sent no delegates to the meeting.

INFORMATIONAL ITEMS

Memos from AOA, ARBO, and the World Congress on Optometric Globalization were summarized and discussed. Dr. Griebenow suggested initially using state statutes to answer scope of practice issues.

MOTION: Dr. Griebenow moved, seconded by Dr. Sarazen, to use state statutes and rules outlining the practice of optometry as the initial response to any request for information regarding scope of practice. Motion carried unanimously.

Peter Theo, a guest from WOA, agreed to speak with AOA legal counsel and seek clarifications with respect to the AOA coding refractions with examinations memo. The Board was unclear as to its purpose.

VISITOR'S COMMENTS

Peter Theo thanked departing members, Dr. Hubbell and Dr. Sarazen, for their service to the Board. He also noted that Wisconsinite Vick Conners is now the head of the World Council of Optometry.

CLOSED SESSION

The Board convened to closed session at 12:15 p.m.

MOTION: Mr. Heiser moved, seconded by Dr. Griebenow, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.) Motion carried unanimously in a roll call vote.

MOTION: Dr. Griebenow moved, seconded by Mr. Heiser, to allow Greg Foster to sit in on the closed session. Motion carried unanimously.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Open session reconvened at 12:25 p.m.

MOTION: Dr. Griffin moved, seconded by Dr. Sarazen, to reconvene into open session. Motion carried unanimously.

CASE CLOSINGS

MOTION: Dr. Griffin moved, seconded by Dr. Sarazen, to close case 03 OPT 008 for no violation. Motion carried unanimously.

OTHER BOARD BUSINESS

The Board expressed its desire to discuss licensure by endorsement policies at the next meeting. In addition, the Bureau Director and Legal Counsel advised the Board on proper procedure for resubmitting statutes and rules. The Bureau Director emphasized the importance of having legislative sponsors in expediting the process. Finally, Ms. Jefferson-Moore and Dr. Nania thanked the outgoing members.

ADJOURNMENT

MOTION: Dr. Griebenow moved, seconded by Dr. Griffin, to adjourn the meeting at 12:35 p.m. Motion carried unanimously.

Next Meeting October 21, 2004